

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

At the outset, Applicant notes with appreciation the courtesy of a personal interview extended by Examiner James McClellan to Applicants' representative, Chien Yuan. The personal interview was conducted on March 25, 2004.

Claims 1-21 are currently pending. Claims 1, 2, 6-9, 11, and 15 are amended, and new claims 18-21 are added, by the present amendment. Applicants respectfully submit that support for amended claims 1, 2, 6-9, 11, and 15 and for new claims 18-21 is self-evident from the specification as originally filed, including the original claims and the drawings. For example, support for the feature "extracting the payment terminal identification from the transaction identification" in amended claim 1 can be found at least on page 9, lines 9-13, of Applicants' specification. Thus, no new subject matter is introduced to the claims by the foregoing amendment.

In the Office Action, Claims 1, 2, 4, 6, 7, 9, 11, 12, 15, and 16 were rejected under 35 U.S.C. § 103(a) as unpatentable over International Publication No. WO 98/34203 (hereinafter "WO '203") in view of Forslund et al. (U.S. Patent No. 6,250,557; hereinafter "Forslund"). Also, the Office Action rejected claims 3, 8, and 13 under 35 U.S.C. § 103(a) as unpatentable over WO '203 in view of Forslund in view of Official Notice (referencing U.S. Patent No. 5,943,610 to Endo). Further, claims 5, 10, 14, and 17 were rejected under 35 U.S.C. §103(a) as unpatentable over WO '203 in view of Forslund as applied to Claims 1, 6, 11, and 15, and further in view of Maes et al. (U.S. Patent No. 6,016,476).

At the personal interview, Applicants' representative presented arguments that the combination of WO '203 and Forslund fails to teach or suggest all of the features of the independent Claims 1, 6, 11, and 15 as presently amended. In response, the Examiner

indicated that the art of record appears to be overcome by these arguments, but that further consideration would need to be given to the matter.

Specifically, the combination of WO '203 and Forslund fails teach or suggest the concept of transmitting a transaction identification including payment terminal identification from a terminal to a mobile device, extracting the payment terminal identification from the transaction identification, and then transmitting the transaction identification back to the terminal from the mobile device based on the payment terminal identification. This concept is encompassed in varying scope by amended claims 1, 6, 11, and 15. For example, amended claim 1 recites:

...the transaction identification includes a payment terminal identification identifying the respective payment terminal from a plurality of payment terminals existing at the service point...

...extracting the payment terminal identification from the transaction identification;

transmitting by the mobile device, via a first contactless device interface, the transaction identification to the payment terminal based on the payment terminal identification...

Amended claims 6, 11, and 15 recite features similar to those quoted above.

In contrast to Applicants' claimed combinations, WO '203 does not disclose the transmitting of transaction identification including a payment terminal identification and the extracting of the payment terminal identification from the transaction identification. This deficiency with regards to Applicants' claims is readily understandable, as the method disclosed in WO '203 involves a transaction where the cashier register 414 and the mobile unit 412 are the only devices available for performing a transaction (Figure 8). For example, because the mobile unit 412 can only communicate with the cashier register 414, and not with any other cashier registers, the establishment of device identities is unnecessary.

Referring to Figure 9 of WO '203, a user initiates a transaction by using a mobile unit 512 to establish a connection with a telephone 515, which is connected to a cashier register

514.<sup>1</sup> Once the call is established, the cashier register 514, via the telephone 515, transmits transaction information to the mobile unit 512 and requests financial identification.<sup>2</sup> Clearly, the system depicted by WO '203 in Figure 9 does not require the cashier register 514 to transmit a terminal identification to the mobile unit 512, as the mobile unit 512 initially establishes the call with the telephone 515 using a known telephone number. Further, correspondences between the mobile unit 512 and the cashier register 514 after initial establishing of the call are conducted over an open line.

Forslund fails to remedy the deficiencies of WO '203 with respect to the pending claims. Forslund discloses a method for making a purchase from a remote vendor by using a smart card wallet and mobile telephone (from col. 4, line 51, to col. 5, line 44), but fails to disclose the transmitting of transaction identification including a payment terminal identification and extracting the payment terminal identification from the transaction identification. As the transaction described in Forslund does not involve direct communication between a mobile device and a specific payment terminal, there would be no need for a vendor to transmit transaction identification including a payment terminal identification to the mobile device.

Therefore, for the reasons discussed above, Applicants respectfully submit that Claims 1, 6, 11, and 15 are patentable over WO '203 and Forslund. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections of Claims 1, 6, 11, and 15 under 35 U.S.C. §103(a). Moreover, Applicants submits that claims dependent from these independent claims are also patentable over the cited art for at least the same reasons.

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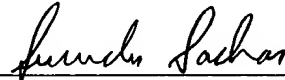
<sup>1</sup> WO '203 at page 12, lines 8-17.

<sup>2</sup> *Id.* at page 12, lines 17-21.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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